



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

April 20, 2022

BY ECF

The Honorable Katherine Polk Failla
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

MEMO ENDORSED

Re: *United States v. Souleymane Balde*, 20 Cr. 281 (KPF)


Dear Judge Failla:

On February 24, 2022, the Court excluded time under the Speedy Trial Act in the above-captioned case on the record until March 11, 2022 in order to permit the defendant to file a motion. (*See* Feb. 24, 2022 Tr. at 75:1-6.) The defendant filed a motion on March 7, 2022 (*see* ECF No. 122), which was denied on the record on April 20, 2022. Accordingly, time under the Speedy Trial Act was tolled until April 20, 2022. *See* 18 U.S.C. § 3161(h)(1)(D). Trial is scheduled to commence in this matter on May 17, 2022.

The Government respectfully writes to request that the time from April 20, 2022 until May 17, 2022 be prospectively excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A). Given that the delay is minimal and such time will permit both parties to prepare for trial, the Government submits that the ends of justice served by the granting of such continuance outweigh the best interests of the public and the defendant in a speedy trial. *See id.* By email dated April 20, 2022, the defendant indicated that he does not consent to such a continuance.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

by: 
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Assistant United States Attorneys
(212) 637-1113 / 2383

cc: Counsel of Record (by ECF)

Application DENIED. Given its understanding of the number of days remaining on the speedy trial clock, the Court does not see a basis for excluding time between the date of this endorsement and the start of trial in this matter.

The Clerk of Court is directed to terminate the motion at docket entry 132.

Dated: April 21, 2022
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla". The signature is written in a cursive, flowing style.

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE